REMARKS

Claims 1-38 are all the claims presently pending in the application. Claims 1-8 have been examined. Claims 2, 3, 6, and 7 are amended to make minor clarifications. Claims 9-38 have been added to provide more varied protection for the invention and to claim additional features of the invention.

Claims 1-8 stand rejected on prior art grounds. With respect to the prior art rejections, claims 1, 2, 4, 5, and 8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Strandwitz et al. (U.S. Patent No. 6,522,352). Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Strandwitz et al. in view of Inuiya et al. (U.S. Patent No. 5,625,411). Claims 6 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Strandwitz et al. in view of Yamaguchi et al. (U.S. Patent No. 6,493,828).

These rejections are respectfully traversed in the following discussion.

I. ILLUSTRATIVE, NON-LIMITING EMBODIMENT OF THE INVENTION

Conventional digital cameras store image data of a captured image in a storage medium, which the user must bring to a photo shop to have the images printed. On the other hand, other conventional digital cameras transmit the image data from a personal computer to the photo shop via e-mail. Thus, in the case of each of these conventional digital cameras, the photos cannot be printed soon after the image is captured. Also, the structure of the camera is complicated, since the structure includes a slot for the storage medium, a circuit for storing the image data in the storage medium, a circuit for setting various shooting modes, and operation switches, etc.

The present invention, on the other hand, does not need the storage medium, various shooting modes, and various operating switches, etc. In an exemplary embodiment of the present invention, the digital camera only needs to capture the image, display the image, and transmit the image. Thus, the camera is easy to operate, small in size, lightweight, and less costly to produce.

For example, the present invention is directed to a photo service system structured in an area. In an exemplary embodiment, a digital camera transmits image data of images captured by the digital camera and identification information for identifying with the digital camera. A base station receives the image data and the identification information transmitted from the digital camera. A photo service

center then prints the images according to the image data received by the base station and sorts the prints of the images according to the identification information received with the image data.

In another exemplary embodiment, the digital camera includes a shutter release button and a displaying device which automatically turns on to start displaying a moving image when the user half-presses the shutter release button. The displaying device automatically turns off when the user releases the shutter release button after half pressing the shutter release button. The digital camera can also include a setting device which sets identification information for identifying the digital camera.

II. THE PRIOR ART REFERENCES

A. The Strandwitz, et al. Reference

Strandwitz relates to wireless camera devices, including video camera devices and still image devices, such as a self-contained wireless camera 10 and a wireless camera system 25 having a camera 10 and a base station 20. In Strandwitz, images (i.e., video images or still images) are captured by a camera 130, encoded by either the video encoding/decoding module 200 or the still image encoding/decoding module 210, and transmitted over a shared radio channel by a radio transmitter 102. A radio receiver 101 receives the images from the base station or another camera device. The base station device 20 receives the images, stores them and retransmits them. Images from the camera or the base station are displayed in a selected manner on a display or monitor 140.

B. The Inuiya, et al. Reference

Inuiya discloses that video signals are recorded in such a manner that prints having a high picture quality can be obtained while not interfering with playback of images in the form of a movie. A CCD is controlled in such a manner that exposure is performed at different shutter speeds, for example, a shutter speed of 1/250th of a second, one time in exposures performed a plurality of times in succession, and at a shutter speed of 1/60th of a second at other times. The video signal outputted by the CCD is applied to a combining circuit and signal processing circuit for an image sensing system. A combining circuit superposes the signal upon the video signal. Particularly, Inuiya discloses an information signal superimposed in a video signal that is received by a printer so that the printer can identify which frames were photographed at a different shutter sheet and adjust the printing process accordingly.

C. The Yamaguchi, et al. Reference

Yamaguchi discloses an information processing apparatus, an information processing method, and a program storage medium that allow a user to quickly capture an image upon instruction by the user. The information processing apparatus includes an instructing means for instructing image capturing and an image pick-up means for imaging a subject as instructed through the instructing means and generating image data based on the imaged subject. A recording means records the image data generated by the image pick-up means. Yamaguchi also discloses a control means for starting the image pick-up means and the recording means when image capturing is instructed through the instructing means with the information processing apparatus in one of a power-off state and an energy saving mode. For example, when the shutter button of the apparatus is in the half-pressed state, the picture shown on the display is put in the still (freeze) state. In the fully-pressed state, the captured image (the image in the half-pressed state shown on the display) is stored by the recording means.

III. CLAIM REJECTIONS BASED ON PRIOR ART GROUNDS

A. Claims 1, 2, 4, 5, and 8:

Claims 1, 2, 4, 5, and 8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Strandwitz et al.

The Examiner alleges that Strandwitz teaches the claimed invention. However, Applicant respectfully submits that there are elements of the claimed invention which are neither disclosed nor suggested by Strandwitz.

The claimed invention relates to a photo service system in which a small, lightweight digital camera with minimal storage capacity is used to capture images and selectively transmit images to a base station for printing and sorting based on identification information transmitted from the digital camera. In other words, the user can order the prints of the images simply by transmitting individual images to the base station. The photo service center then prints the images and sorts the images based on the identification information transmitted with the image data so that the user can pick up the photos soon after capturing the images.

For example, claim 1 recites, *inter alia*, a photo service system comprising:

> a digital camera which transmits image data of images captured by the digital camera and identification information for identifying with the

> digital camera;
> a base station which receives the image data and the identification information transmitted from the digital camera; and
> a photo service center which prints the images according to the image data received by the base station and sorts the prints of the images according to the identification information received with the image data (emphasis added).

Strandwitz does not disclose or suggest at least a photo service center which prints the images according to the image data received by the base station and sorts the prints of the images according to the identification information received with the image data, as claimed in claim 1.

The Office Action alleges that Strandwitz discloses a photo service center that "consists of a computer to view the pictures and order them and a printer to print them." However, the Examiner does not identify the manner in which Strandwitz discloses sorting the prints of the images according to the identification information received with the image data, nor does Strandwitz include of any such disclosure. Strandwitz merely discloses a printer 406, such as a photo printer (see col. 13, lines 36-39), that prints the currently displayed still image. Strandwitz does not, however, disclose or even mention sorting the prints of the images according to identification information received with the image data. Therefore, Applicant respectfully submits that Strandwitz does not disclose or suggest at least this recitation of independent claim 1.

The Office Action also states that "[i]t is inherent that the transport protocol requires sending a unique identification code in the header of the image data packets to check the reliability of the data." However, assuming *arguendo* that the protocol requires sending a unique identification code in the header of the image data packet, the unique identification code does not necessarily identify the digital camera from which the data packet has been received (i.e., the source of the captured image) but, instead, could merely identify the data packet itself. Thus, Applicant respectfully submits that Strandwitz does not inherently disclose at least a digital camera which transmits image data and "identification information for identifying with the digital camera", as recited in claim 1.

For at least the foregoing reasons, Applicant respectfully submits that claim 1 is not anticipated by Strandwitz.

With respect to claims 2, 4, 5, and 8, Applicant submits that these claims are patentable at least by virtue of their dependency from claim 1.

Additionally, with respect to claim 4, it is noted that the Office Action states that "it is inherent that the digital camera is exclusively used in the photo service system since it was made as part of that system.". Applicant respectfully disagrees with this statement and notes for the record that claim 1 does not limit the digital camera exclusively to use in the claimed photo service system. That is, mere use of a device in a system does not necessitate that the device can only be used in that system (i.e., exclusively for use in that system).

Also, with respect to claim 8, the Office Action states that Strandwitz discloses a digital camera having a setting device which sets identification information for identifying the digital camera. The Examiner cites Figure 2, element 250, and col. 3, line 51 to col. 4, line 16, to support this position. Applicant respectfully disagrees with the Examiner's position for several reasons.

Strandwitz does not disclose "a setting device which sets identification information for identifying the digital camera", as recited in claim 8. Instead, Strandwitz discloses that the transport protocol module 250 can be configured and optimized based on the multimedia data type and the user's preferences. Strandwitz does not, however, disclose or suggest that the user's preferences include identification information for the digital camera but, rather, only that the transport protocol module can be configured and optimized based on the user's preferences. Thus, Applicant respectfully submits that Strandwitz also does not disclose at least this recitation of claim 8; and therefore, claim 8 is patentable separately and independently over Strandwitz.

B. Claim 3:

Claim 3 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Strandwitz et al. in view of Inuiya et al. Applicant respectfully traverse this rejection.

Claim 3 recites, *inter alia*, that the photo service center prints information such as the shooting date, the shooting places and the names of users on frames of the prints of the images.

The Examiner alleges that Inuiya makes up for the deficiencies of Strandwitz by disclosing "a printer that takes in an information signal from the camera with information such as shooting date, picture title, and frame number", as described at col. 16, lines 32-45 of Inuiya. Thus, the Examiner takes the position that it would have been obvious to combine Inuiya with Strandwitz to arrive at the claimed invention, so that the photo service center prints information such as the shooting date, the shooting

places and the names of the users on frames of the prints of the images in order to search for a specific picture that was photographed.

As for the motivation to modify Strandwitz based on Inuiya to arrive at the claimed invention, Applicant respectfully submits that Inuiya does not disclose or suggest using the information from the information signal "to search for a specific picture that was photographed", as alleged by the Examiner. Instead, the information is received by the printer and used to adjust the printing process for sequentially printing each frame.

Therefore, Applicant respectfully submits that, as with claim 1, neither Strandwitz nor Inuiya discloses the claimed combination of printing the images and sorting the prints of the images according to the identification information received with image data, as recited in independent claim 1.

C. Claims 6 and 7:

Claims 6 and 7 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Strandwitz et al. in view of Yamaguchi et al.

Claim 6 recites, *inter alia*, "a displaying device which automatically turns on to start displaying a moving image when the user half-presses the shutter release button" (emphasis added).

The Examiner asserts that Yamaguchi makes up for the deficiencies of Strandwitz by allegedly disclosing this feature. Applicant respectfully disagrees.

Yamaguchi does not disclose a displaying device which automatically turns on to start displaying a moving image but, instead, discloses a still image. Specifically, Yamaguchi states that:

> In the half-pressed state, the picture shown on the display block 3 is put in the still (freeze) state. In the fully-pressed state, the captured image (the image in the half-pressed state shown on the display block 3) is stored on the HDD 56 for example.

See col. 7, lines 15-20 (emphasis added).

For at least the foregoing reasons, Applicant respectfully submits that the Examiner is mischaracterizing the Yamaguchi reference. Thus, claims 6 and 7 would not have been obvious over any combination of Strandwitz and Yamaguchi.

IV. NEW CLAIMS

New claims 9-38 are added to provide more varied protection for the present invention.

For example, new claims 10 and 11 are added to cover the subject matter described at page 6, lines 17-20, of the specification (particularly, that the photo service center identifies each of the prints of the images based on a location corresponding to the respective base station that transmitted the image file). New claims 12-16 are added to correspond to the subject matter of dependent claims 2-8, but depending from new claim 9. New claims 17-22 are added to provide more varied protection for the invention, as described in the specification and drawings. New claims 23-25 are added to cover the subject matter described, for example, at page 7, lines 24-25, of the specification (particularly, that the image data is erased each time the imaging part captures a new image and that the memory has a capacity capable of storing image data only for a single image). New claims 26-31 are added to cover the subject matter described, for example, in Figure 5. Method claims 32-38 also are added to provide more varied protection for the present invention, as disclosed, for example, in Figures 6 and 7.

Applicant respectfully submits that new claims 9-38 are patentable separately and independently over any combination of the applied references at least for reasons that are analogous to the reasons set forth above with respect to claim 1.

V. FORMAL MATTERS AND CONCLUSION

The Office Action objects to the specification for several reasons.

First, the Office Action objects to the use of the acronyms FDI, ROM, IrDA, RAM, CCD, LCD, and USB without specifying what they represent. Although Applicant submits that these acronyms would be known to a person of ordinary skill in the art, the specification is amended to define each acronym at its first appearance in the specification to clarify the meanings of these acronyms.

For example, the specification is amended to include: "FDI" - "Fujifilm Digital Imaging"; "ROM" - "Read Only Memory"; "IrDA" - "Infrared Data Association"; "RAM" - "Random Access Memory"; "CCD" - "Charge Coupled Device"; "LCD" - "Liquid Crystal Display"; and "USB" - "Universal Serial Bus".

Second, the Office Action states that "Figure 3" on page 3, line 26 should be "Figure 1". It is

believed that the Examiner intended to refer to page 5, line 26. Accordingly, the specification is amended at page 5, line 26, to correctly refer to "Figure 1" instead of "Figure 3".

Third, the Office Action states that, at page 11, line 26 and in Figure 8, the camera should be referenced as "1", not "50". Applicant respectfully disagrees.

Figure 8 depicts an illustrative, non-limiting embodiment of the invention. Both the specification and Figure 8 consistently identify the camera of this exemplary embodiment as reference numeral "50". Applicant respectfully submits that there is no basis for changing the reference numeral as proposed by the Examiner.

Fourth, the Office Action states that the ROM 22 will be considered to be "programmable read only memory", since the setting device allegedly must write to the ROM each time to change the photo information each time someone rents the camera. Thus, the Office Action states that the camera could not be used in the manner stated in the specification. Applicant respectfully disagrees.

Page 8 of the specification describes several exemplary embodiments of the present invention. For example, in a case where only the predetermined photo information (such as the name of the theme park) is to be printed on the photo, the photo information is previously stored in the ROM 22. However, as another example, in a case where the photo information is to be specific to the user (such as the name of the user), a setting device can be used to set the specific information "in a memory built in the camera." To clarify, the specification does not state that the setting device sets the information in the ROM but, instead, states that the setting device sets the specific information "in a memory built in the camera." Accordingly, contrary to the Examiner's position, Applicant respectfully submits that, when read in the context of the surrounding text, the camera clearly <u>can</u> be used in the manner stated in the specification.

For at least the foregoing reasons, Applicant respectfully submits that these objections should be withdrawn.

In view of the foregoing, Applicant submits that claims 1-38, all the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest possible time.

Should the Examiner find the application to be other than in condition for allowance, the

Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary in a telephonic or personal interview.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

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